

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHANICE FARRAR,

Plaintiff,

-against-

DANZIGER MICHELL,

Defendant.

20-CV-3762 (LLS)

ORDER

LOUIS L. STANTON, United States District Judge:

Plaintiff filed this action *pro se*. On September 3, 2020, the Court dismissed Plaintiff's complaint against Justice Mitchell J. Danzinger, of the New York State Supreme Court, under the doctrine of judicial immunity and as frivolous. *See* 28 U.S.C. § 1915(e)(2)(B)(i), (iii). On December 2, 2020, Plaintiff filed a motion to "Vacate[,], Amend[,], Renew Claim at Law Restore R. 15 and R.60 R.542," and a "Notice of Supplemental Motion Reconsideration Brief," challenging the September 3, 2020 dismissal order.

By order dated August 20, 2021, the Court construed Plaintiff's December 2, 2020 filing as a motion for reconsideration and denied the motion. (ECF No 13.) The order denying Plaintiff's motion for reconsideration was entered on the Court's docket on August 23, 2021. On September 17, 2021, although her time to appeal this order had not yet expired, Plaintiff Shanice Farrar filed a motion for an extension of time to file a notice of appeal. (ECF No. 15.) Plaintiff also filed a notice of appeal, seeking to appeal the Court's August 20, 2021 order. (ECF No. 16.)

Under Fed. R. App. P. 4(a)(1)(A), a notice of appeal in a civil case must be filed within thirty days after entry of judgment. "[T]he taking of an appeal within the prescribed time is mandatory and jurisdictional." *In re WorldCom, Inc.*, 708 F.3d 327, 329 (2d Cir. 2013) (citation and internal quotation marks omitted). Because Plaintiff's notice of appeal was filed within thirty

days after entry of the order denying her motion for reconsideration, the notice of appeal is timely and a motion for extension of time to appeal is unnecessary. Accordingly, Plaintiff's motion for extension of time to appeal is denied as moot.

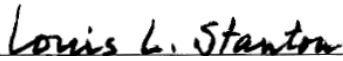
CONCLUSION

Plaintiff's motion for an extension of time to file a notice of appeal (ECF No. 15) is denied as moot. The Clerk of Court is directed to process Plaintiff's notice of appeal (ECF No. 16) in accordance with the procedures of the Clerk's Office.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

SO ORDERED.

Dated: September 22, 2021
New York, New York



Louis L. Stanton
U.S.D.J.